



Judgment of Conviction & Order for Commitment

Superior Court of New Jersey, UNION County

State of New Jersey

v.

Last Name
MCGILLVARY

First Name
CALEB

Middle Name
L

Also Known As

Date of Birth
09/03/1988

SBI Number
102317G

Date(s) of Offense
05/12/2013

Date of Arrest

PROMIS Number
13 001703-001

Date Ind / Acc / Complt Filed
05/18/2016

Original Plea

☒ Not Guilty

☐ Guilty

Date of Original Plea
05/23/2016

Adjudication By

☐ Guilty Plea

☒ Jury Trial Verdict

☐ Non-Jury Trial Verdict

☐ Dismissed / Acquitted

Date: 04/24/2019

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
16-05-00344-I	1	MURDER - PURPOSELY	2C:11-3A(1)	1

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
16-05-00344-I	1	MURDER - PURPOSELY	2C:11-3A(1)	1

Sentencing Statement

It is, therefore, on 05/30/2019 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

The Defendant is remanded to the custody of the Commissioner of the Department of Corrections for a period of 57 YEARS.

Defendant must serve 85 % of this sentence until released in accordance with the No Early Release Act.

Defendant is subject to 5 years mandatory Parole Supervision upon release pursuant to the No Early Release Act.

☒ It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority.

Total Custodial Term
057 Years 00 Months 000 Days

Institution Name
CARE COMMISS/CORR

Total Probation Term
00 Years 00 Months

State of New Jersey v.
MCGILLVARY, CALEB L

S.B.I. # 102317G Ind / Acc / Compl # 16-05-00344-I

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)		Additional Conditions																									
<p>A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.)</p> <p><input type="checkbox"/> DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2))</p> <table style="width:100%;"> <tr> <th style="width:30%;"></th> <th style="width:30%; text-align: center;">Standard</th> <th style="width:30%; text-align: center;">Doubled</th> <th style="width:10%;"></th> </tr> <tr> <td>1st Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> <td></td> </tr> <tr> <td>2nd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> <td></td> </tr> <tr> <td>3rd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> <td></td> </tr> <tr> <td>4th Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> <td></td> </tr> <tr> <td>DP or Petty DP</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> <td></td> </tr> </table> <p style="text-align: center;">Total DEDR Penalty \$ _____</p> <p><input type="checkbox"/> The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)</p>			Standard	Doubled		1st Degree	_____ @ \$	_____ @ \$		2nd Degree	_____ @ \$	_____ @ \$		3rd Degree	_____ @ \$	_____ @ \$		4th Degree	_____ @ \$	_____ @ \$		DP or Petty DP	_____ @ \$	_____ @ \$		<p><input checked="" type="checkbox"/> The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20 and N.J.S.A. 53:1-20.29).</p> <p><input type="checkbox"/> The defendant is hereby sentenced to community supervision for life (CSL) if offense occurred before 1/14/04 (N.J.S.A. 2C:43-6.4).</p> <p><input type="checkbox"/> The defendant is hereby sentenced to parole supervision for life (PSL) if offense occurred on or after 1/14/04 (N.J.S.A. 2C:43-6.4).</p> <p><input checked="" type="checkbox"/> The defendant is hereby ordered to serve a <u>5</u> year term of parole supervision, pursuant to the No Early Release Act (NERA), which term shall begin as soon as the defendant completes the sentence of incarceration (N.J.S.A. 2C:43-7.2).</p> <p><input type="checkbox"/> The court imposes a Drug Offender Restraining Order (DORO) (N.J.S.A. 2C:35-5.7h). DORO expires _____</p> <p><input type="checkbox"/> The court continues/imposes a Sex Offender Restraining Order (SORO) if the offense occurred on or after 8/7/07 (Nicole's Law N.J.S.A. 2C:14-12 or N.J.S.A. 2C:44-8).</p> <p><input type="checkbox"/> The court imposes a Stalking Restraining Order (N.J.S.A. 2C:12-10.1).</p> <p><input type="checkbox"/> The defendant is prohibited from purchasing, owning, possessing, or controlling a firearm and from receiving or retaining a firearms purchaser identification card or permit to purchase a handgun (N.J.S.A. 2C:25-27c(1)).</p>	
	Standard	Doubled																									
1st Degree	_____ @ \$	_____ @ \$																									
2nd Degree	_____ @ \$	_____ @ \$																									
3rd Degree	_____ @ \$	_____ @ \$																									
4th Degree	_____ @ \$	_____ @ \$																									
DP or Petty DP	_____ @ \$	_____ @ \$																									
<p>Forensic Laboratory Fee (N.J.S.A. 2C:35-20) _____</p> <p>Offenses @ \$ _____</p>		<p>Total Lab Fee _____</p> <p>\$ _____</p>																									
VCCO Assessment (N.J.S.A. 2C:43-3.1)																											
Counts	Number	Amount																									
1	1	@	\$ 50.00																								
		@	\$ _____																								
		@	\$ _____																								
		@	\$ _____																								
Total VCCO Assessment \$ 50.00																											
Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)																											
Offense		Mandatory Penalty																									
		\$ _____																									
Offense Based Penalties																											
Penalty		Amount																									
		\$ _____																									
Other Fees and Penalties																											
<p>Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3)</p> <p><input checked="" type="checkbox"/> \$ 30.00</p>		<p>Safe Neighborhoods Services Fund Assessment (N.J.S.A. 2C:43-3.2)</p> <p><input checked="" type="checkbox"/> 1 Offenses @ \$ 75.00</p> <p style="text-align: center;">Total: \$ 75.00</p>																									
<p>Probation Supervision Fee (N.J.S.A. 2C:45-1d)</p> <p><input type="checkbox"/> \$ _____</p>		<p>Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6)</p> <p><input type="checkbox"/> Offenses @ \$ _____</p> <p style="text-align: center;">Total \$ _____</p>																									
<p>Transaction Fee (N.J.S.A. 2C:46-1.1)</p> <p><input checked="" type="checkbox"/></p>																											
<p>Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4)</p> <p><input type="checkbox"/> \$ _____</p>		<p>Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7)</p> <p><input type="checkbox"/> \$ _____</p>																									
<p>Fine</p> <p>\$ _____</p>		<p>Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10)</p> <p><input type="checkbox"/> \$ _____</p>																									
<p>Restitution Joint & Several</p> <p>\$ _____ <input type="checkbox"/></p>		<p>Total Financial Obligation</p> <p>\$ 155.00</p>																									
Details																											

Findings Per N.J.S.A. 2C:47-3	
<p><input type="checkbox"/> The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior.</p> <p><input type="checkbox"/> The court finds that the defendant is amenable to sex offender treatment.</p> <p><input type="checkbox"/> The court finds that the defendant is willing to participate in sex offender treatment.</p>	
License Suspension	
<p><input type="checkbox"/> CDS / Paraphernalia (N.J.S.A. 2C:35-16) <input type="checkbox"/> Waived</p> <p><input type="checkbox"/> Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1)</p> <p><input type="checkbox"/> Eluding (N.J.S.A. 2C:29-2)</p> <p><input type="checkbox"/> Other</p>	
Number of Months	<input type="checkbox"/> Non-resident driving privileges revoked
Start Date	End Date
Details	
Driver's License Number	Jurisdiction
If the court is unable to collect the license, complete the following: Defendant's Address	
City	State Zip
Date of Birth	Sex Eye Color
	<input type="checkbox"/> M <input type="checkbox"/> F

MCGILLVARY, CALEB L

Time Spent in Custody

Total Number of Days	2205
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Total Number of Days

Total Number of Days

Total Number of Days

The Court finds that aggravating factors 1, 3, 9 and 12 outweigh the mitigating factors 4 and 7.

05/30/2019